

IN RE: PETITION FOR SPECIAL HEARING
NW/4 Southwest Boulevard,
and Selma Avenue
(5534 Southwest Boulevard)
13th Election District
1st Councilmanic District
Southwestern Car Care, Inc.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-69-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special hearing to approve an amendment to the site plan approved in Case No. 80-181-X to allow for expansion, and to amend the Order in said Case to modify Restriction No. 9 to permit the service garage to be limited to the hours of 8:00 AM to 7:30 PM Monday through Friday, and 8:00 AM to 3:30 PM on Saturdays, all as more particularly described in Petitioner's Exhibit 1.

The Petitioner, by M. Dean Donehoo, its President, and Robert Clausen, Part-owner, appeared, testified, and were represented by Newton A. Williams, Esquire. Also appearing on behalf of the Petition was Wilbur E. Harrison, Professional Engineer. There were no Protestants.

Testimony indicated that the subject property, zoned B.L.-C.C.C., is located on 0.584 acres at the corner of Southwest Boulevard and Selma Avenue. Petitioner acquired the property in June 1987 and has used the property since to operate its service garage business. Testimony indicated that Petitioner needs additional garage space in order to meet the needs of its customers.

The subject property had previously been granted a special exception for a service garage on March 20, 1980 in In Re: Petition for Zoning Reclassification and/or Special Exception, Shawn Moran, Case No. 80-181-X. At that time, Restriction #9 restricted the hours of operation

from 8:00 AM to 6:00 PM Monday through Friday, and 8:00 AM to 1:00 PM on Saturday. Petitioner indicated that the requested modification of Restriction #9 is necessary to meet the needs of its customers who may stop in after work for quick services which could not be completed by 6:00 PM but could be finished by 7:30 PM. Further, the extension of hours on Saturdays would permit completion of work on a day its customers can bring in their vehicles for service without having to take off work. Quite often in the past, their experience has been that by the time parts were obtained to complete a job on a Saturday, it would be 1:00 PM and closing time.

Petitioner presented evidence regarding its intention to comply with all regulations as to the operation of a service garage and its ability to meet the criteria set forth in Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Mr. Donehoo testified that he has spoken to many of his neighbors about the proposed plans and they have indicated they have no objection. Petitioner indicated it would comply with the requirements of the State Highway Administration as set forth in the comments submitted dated July 6, 1988 and as modified on August 30, 1988.

Wilbur Harrison testified regarding the site plan which had been introduced as Petitioner's Exhibit 1 and the comments of the State Highway Administration. He further elaborated on Petitioner's plans with respect to fencing and landscaping of the subject property as depicted in Petitioner's Exhibit 1.

It is clear that the B.C.Z.R. permits a service garage use in a B.L.-C.C.C. zone by special exception and had previously found such use to be appropriate at the subject site. It is equally clear that the proposed use as expanded and modified as to its hours of operation would not

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

89-69-SPH

District: 13th Date of Posting: August 30, 1988

Posted for: Official Hearing

Petitioner: Southwestern Car Care, Inc.

Location of property: NW/4 Corner of Southwest Blvd. and Selma Ave.

Location of Sign: On front of 5534 Southwest Blvd.

Remarks:

Posted by: J. Robert Haines Date of return: September 2, 1988

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 25, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on August 25, 1988.

#41.25

THE JEFFERSONIAN

S. Zebe-Delmon

Publisher

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Law of Baltimore County, will hold a public hearing on the proposed amendment to the Zoning Regulations of Baltimore County, as set forth in the attached petition, at the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, on the 2nd day of September, 1988, at 8:00 A.M. in Room 108.

At the hearing, the Petitioner is granted a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission will, however, consider any appeal for a day of the appeal period. Such request must be in writing and filed with the Zoning Commission at the County Office Building at the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, on the 2nd day of September, 1988, at 8:00 A.M.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
8270 Aug 25



MICROFILMED

be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the relief requested in the special hearing should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of October, 1988 that an amendment to the site plan approved in Case No. 80-181-X to allow for expansion, and an amendment to the Order in said case to modify Restriction No. 9 to permit

PETITION FOR SPECIAL HEARING TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve an amendment to the site plan approved in Case No. 80-181-X to allow for expansion, and to amend the order in Case No. 80-181-X to modify Restriction No. 9 to allow for the service garage to be limited to the hours of 8:00 a.m. to 7:30 p.m. Monday through Friday and 8:00 a.m. to 3:30 p.m. on Saturdays.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Southwestern Car Care, Inc.
5534 Southwest Blvd.
Arbutus, MD 21227
Mario Dean Donehoo, President
(Type or Print Name)
Signature
PR 102C
87-311A

(Type or Print Name)

Signature

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

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Name

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

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Name

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

the service garage to be limited to the hours of 8:00 AM to 7:30 PM Monday through Friday, and 8:00 AM to 3:30 PM on Saturdays, all as more particularly described in Petitioner's Exhibit 1, be approved, and as such, the Petition for Special Hearing is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order is reversed, the if, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2) Petitioner shall landscape the property as required by the Baltimore County Landscape Planner and at a minimum as set forth in Petitioner's Exhibit 1.

3) Petitioner shall comply with the requirements of the State Highway Administration as set forth in their comments dated July 6, 1988 and as modified thereafter on August 30, 1988, attached hereto and made a part hereof.

4) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

5) Except as herein modified, the terms and conditions set forth in Case No. 80-181-X shall remain in full force and effect.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN-bjs

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

October 19, 1988

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams
1105 Hampton Plaza
300 E. Joppa Road
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
NW/4 Corner Southwest Boulevard and Selma Avenue
(5534 Southwest Boulevard)
13th Election District - 1st Councilmanic District
Southwestern Car Care, Inc. - Petitioner
Case No. 89-69-SPH

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN-bjs

cc: Wilbur E. Harrison, P.E.
226 Stonewall Road, Catonsville, Md. 21228

People's Counsel

File

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN EQUITY

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland, as follows:

Petitioner for Special Hearing
CASE NUMBER: 89-69-SPH
NW/C Southwestern Blvd. and Selma Avenue (5534 Southwestern Blvd.) 13th Election District - 1st Councilmanic District
Petitioner(s): Southwestern Car Care, Inc.
HEARING SCHEDULED: TUESDAY, SEPTEMBER 20, 1988 at 9:45 a.m.
Special Hearing: To approve an amendment to the site plan approved in Case Number 80-181-X to allow for expansion, and to amend the Order in Case Number 80-181-X to modify restriction No. 9 to allow for the Service Garage to be limited to the hours of 8:00 a.m. to 3:30 p.m. on Saturdays.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of Baltimore County
102/AUG. 25

Office of PATUXENT Publishing Company

10750 Lenoir Avenue
Columbia, MD 21044

August 30 19 88

THIS IS TO CERTIFY, that the annexed advertisement of

NOTICE OF HEARING

was inserted in the following:
☐ Calonsville Times
☐ Arbutus Times
☐ Reporter Weekly
☐ Booster Weekly
☐ Owings Mills Flier
☐ Towson Flier

weekly newspapers published in Baltimore County, Maryland
ONCE a week for one successive weeks before
the 27 day of August 1988 that is to
say, the same was inserted in the issues of

August 25, 1988

PATUXENT PUBLISHING COMPANY

By *[Signature]*

CERTIFICATE OF PUBLICATION OF

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 9/15/88

Mr. Mario Dean Donehoo, President
Southwestern Car Care, Inc.
5534 Southwestern Blvd.
Arbutus, Maryland 21227

Re: Petition for Special Hearing
CASE NUMBER: 89-69-SPH
NW/C Southwestern Blvd. and Selma Avenue
(5534 Southwestern Blvd.)
13th Election District - 1st Councilmanic District
Petitioner(s): Southwestern Car Care, Inc.
HEARING SCHEDULED: TUESDAY, SEPTEMBER 20, 1988 at 9:45 a.m.

Dear Mr. Donehoo:

Please be advised that \$93.62 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post set(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 059117
DATE 9/20/88 ACCOUNT R-1115-CCC
AMOUNT \$ 93.62
RECEIVED FROM Southwestern Car Care
FOR Petition for Special Hearing
B 015*****89-69-SPH
SIGNATURE OF CASHIER
DATE RECEIVED PRE-AGENCY YELLOW-CUSTOMER

post set(s), there
each set not



Dennis F. Rasmussen
County Executive

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

July 25, 1988

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

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J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mario Dean Donehoo
File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING



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13th Election District - 1st Councilmanic District
Petitioner(s): Southwestern Car Care, Inc.
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J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3354

July 25, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Md. 21204

Item No. 461 - ZAC - Meeting of July 5, 1988
Property Owner: Southwestern Car Care Inc.
Location: NW/C Southwestern Blvd. & Selma Ave.

Dear Mr. Haines:

Please see the CRG Comments for this site.

Very truly yours,

[Signature]
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEM/RF/eps

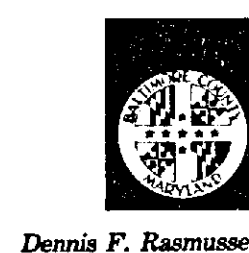
RECEIVED
JUL 28 1988
ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2556
494-4500

Paul H. Reinke
Chief

July 15, 1988

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: Southwestern Car Care, Inc.

Location: NW/C Southwestern Blvd., & Selma Avenue
5534 Southwestern Blvd.
Item No.: 461

Zoning Agenda: Meeting of 7/5/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

/s/

89-69-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
6th day of July, 1988.

[Signature]
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Southwestern Car Care, Inc. Received by: James E. Dyer
Petitioner's Attorney: _____ Chairman, Zoning Plans
Advisory Committee

PETITIONER(S) EXHIBIT (2)



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 8, 1988

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Mario Dean Doneho, President
Southwestern Car Care, Inc.
5534 Southwestern Boulevard
Arbutus, Maryland 21227

RE: Item No. 461 - Case No. 89-69-SPH
Petitioner: Southwestern Car Care, Inc.
Petition for Special Hearing

Dear Mr. Doneho:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

cc: Harrison A/E Inc.
226 Stonewall Road
Baltimore, Maryland 21208

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 8, 1988

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

Mario Dean Doneho, President
Southwestern Car Care, Inc.
5534 Southwestern Boulevard
Arbutus, Maryland 21227

RE: Item No. 461 - Case No. 89-69-SPH
Petitioner: Southwestern Car Care, Inc.
Petition for Special Hearing

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Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

cc: Harrison A/E Inc.
226 Stonewall Road
Baltimore, Maryland 21208



Maryland Department of Transportation State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

August 30, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: James Dyer

Re: Baltimore County
Southwestern Car Care
Incorporated
Zoning meeting 7/5/88
N/W corner of
Southwestern Boulevard
US 1-S
and Selma Avenue
Item #461
HAI 747-8325

Dear Mr. Haines:

Subsequent to our comments of July 6, we were informed by the petitioner's engineer Wilbur Harrison, that trailers bring vehicles in for repair and would have a very difficult time getting out if the south entrance is closed. Considering this situation, we have changed our position and are going to allow the south entrance to remain open, however, the plan must be revised to indicate a barrier curb between the parking lot and the State right-of-way. A permit will be required from the SHA to close the north entrance and construct the barrier curb.

If you have any questions, please contact Larry Brocato of this office (333-1350).

Very truly yours,

John E. Myers Assistant
Bureau Chief Engineering
Access Permits

JH/es

cc: Harrison A/E Incorporated
Tom Watson
Larry Brocato

RECEIVED
SEP 1 1988
ZONING OFFICE

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



Maryland Department of Transportation State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

July 6, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Southwestern Car Care
Incorporated
Zoning Meeting of 7-5-88
N/W Corner of
Southwestern Blvd.
Route 1-S
& Selma Avenue
(Item #461)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal of Southwestern Car Care, Inc. we offer the following comment.

We will require the existing 35' entrance closest to Selma Avenue and the existing 40' entrance be closed with SHA concrete curb and gutter, leaving the one 35' concrete entrance in the center of the property frontage. This requirement is due to the need for only one entrance onto Southwestern Blvd.

It is requested this revision be made prior to a hearing date being set.

If you have any questions, please contact Larry Brocato of this office.

Very truly yours,

John E. Myers Assistant
Bureau Chief Engineering
Access Permits

LB:maw

cc: Harrison A/E Inc.
Mr. J. Ogle

My telephone number is (301) 233-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines

Date: August 30, 1988

TO: Zoning Commissioner
FROM: Mr. Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Southwestern Car Care, Inc.
Zoning Petition No. 89-69-SPH

The applicant is requesting the expansion of a service garage. Based upon the site plan submitted, staff provides the following comments:

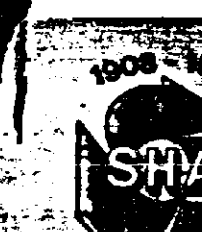
- The parking and storage area should be more efficiently arranged to provide a greater buffer along the northern portion of the tract.
- The street frontage along Selma Avenue should provide more extensive landscaping to buffer residences located along the entire western side of the tract.
- The existing entrances should be closed in an appropriate manner to allow for sidewalks, landscaping and to assure that they will not be re-opened in the future.
- Landscaping around the parking/storage area is not adequate, and landscaping should be provided along the northern portion of the tract.

If the applicant revises the site plan and addresses these concerns stated, staff is supportive of the request.

PK/sf

cc: Mr. Mario Dean Doneho
9-8-88

CPS-008



Maryland Department of Transportation State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

August 30, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Attn: James Dyer

Re: Baltimore County
Southwestern Car Care
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N/W corner of
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If you have any questions, please contact Larry Brocato of this office (333-1350).

Very truly yours,

John E. Myers Assistant
Bureau Chief Engineering
Access Permits

JH/es

cc: Harrison A/E Incorporated
Tom Watson
Larry Brocato

My telephone number is (301) 333-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

7/2/88
Date

Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Zoning Item # 461, Zoning Advisory Committee Meeting of July 5, 1988

Property Owner: Southwestern Car Care, Inc. District 13

Location: N/W Southwestern Blvd + Selma Ave. Sewage Disposal: Metro

Water Supply: Metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- () Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.
- () If lubrication work and oil changes are performed at this location, the method provided for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3768.
- () Soil percolation tests, have been conducted.
- () The results are valid until _____.
- () Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test () shall be valid until _____.
- () If is not acceptable and must be repeated. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others: Drainage from interior service bays is to be directed to sanitary sewer via oil separator.

Karen D. Cherry
BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT



HARRISON A/E, INC.

Mr. Philip E. Harrison, P.E. • Planner • Construction Manager • Developer

Whit E. Harrison, P.E.
President
226 Stonewall Road
Baltimore, Maryland 21208
(301) 747-8325

September 16, 1988

References:

- Southwestern Car Care, Inc.
5534 Southwestern Boulevard
Arbutus, Md. 21227
Telephone: 242-3110
W-88-183
- Letter dated 08/30/88 from
Mr. John E. Meyers of MDOT
SHA to Mr. J. Robert Haines
(Copy attached)
- Letter dated 08/30/88 from
Pat Keller, Office of Zoning
to J. Robert Haines (Copy
attached)
- Letter dated 09/08/88 from
James E. Dyer (Copy attached)

Mr. Thomas Watson
Room 321
Bureau of Public Services
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Watson:

We are submitting herewith seven copies of the revised Site Plan, revised date 9/16/88, for the referenced facility, revised in accordance with References 2, 3 & 4. We understand that additional comments were received on 9/16/88. We shall address these and other comments in our next or building permit submission once zoning has been approved.

I understand that the Hearing mentioned in Reference 3 has been assigned the Special Hearing No. 89-69SPH and has been scheduled for September 20, 1988 at 9:45 a.m.

Thank you for your cooperation.

Whit E. Harrison
Whit E. Harrison, P.E.
President

cc: Southwestern Car Care, Inc.
Mr. J. Robert Haines, Zoning Commissioner
Mr. James E. Dyer, Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO Zoning Commissioner

Date August 30, 1988

FROM Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT Southwestern Car Care, Inc.
Zoning Petition No. 89-69-SPH

The applicant is requesting the expansion of a service garage. Based upon the site plan submitted, staff provides the following comments:

- The parking and storage area should be more efficiently arranged to provide a greater buffer along the northern portion of the tract.
- The street frontage along Selma Avenue should provide more extensive landscaping to buffer residences located along the entire western side of the tract.
- The existing entrances should be closed in an appropriate manner to allow for sidewalks, landscaping and to assure that they will not be reopened in the future.
- Landscaping around the parking/storage area is not adequate, and landscaping should be provided along the northern portion of the tract.

If the applicant revises the site plan and addresses these concerns stated, staff is supportive of the request.

PK/sf

cc: Mr. Mario Dean Donahoo
9-8-88

STATEMENT FOR JUSTIFICATION OF REQUEST FOR WAIVER

Reference: Southwestern Car Care, Inc.
5534 Southwestern Boulevard
Arbutus, Maryland 21227

Telephone: 242-3110

(Case No. 80-181-X)

An existing automotive repair and service operating business wishes to expand by adding three automotive repair bays to their existing facility. The facility is located in a commercial strip on Southwestern Boulevard.

The expansion requested will not be detrimental to the health, safety or general welfare of the locality involved; it will not tend to create congestion in roads, streets or alleys therein; and will it not create a potential hazard from fire, panic or other dangers. The expansion will not tend to overcrowd land and cause undue concentration of population, nor will it interfere with provisions for schools, parks, water, sewage, transportation or public requirements, conveniences, or improvements. The expansion will not interfere with adequate light and air nor in any other way be inconsistent with the spirit and intent of the Zoning Regulations of Baltimore County.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME _____

ADDRESS

NEWTON A. WILLIAMS

WILBUR E. HARRISON

Robert Clausen

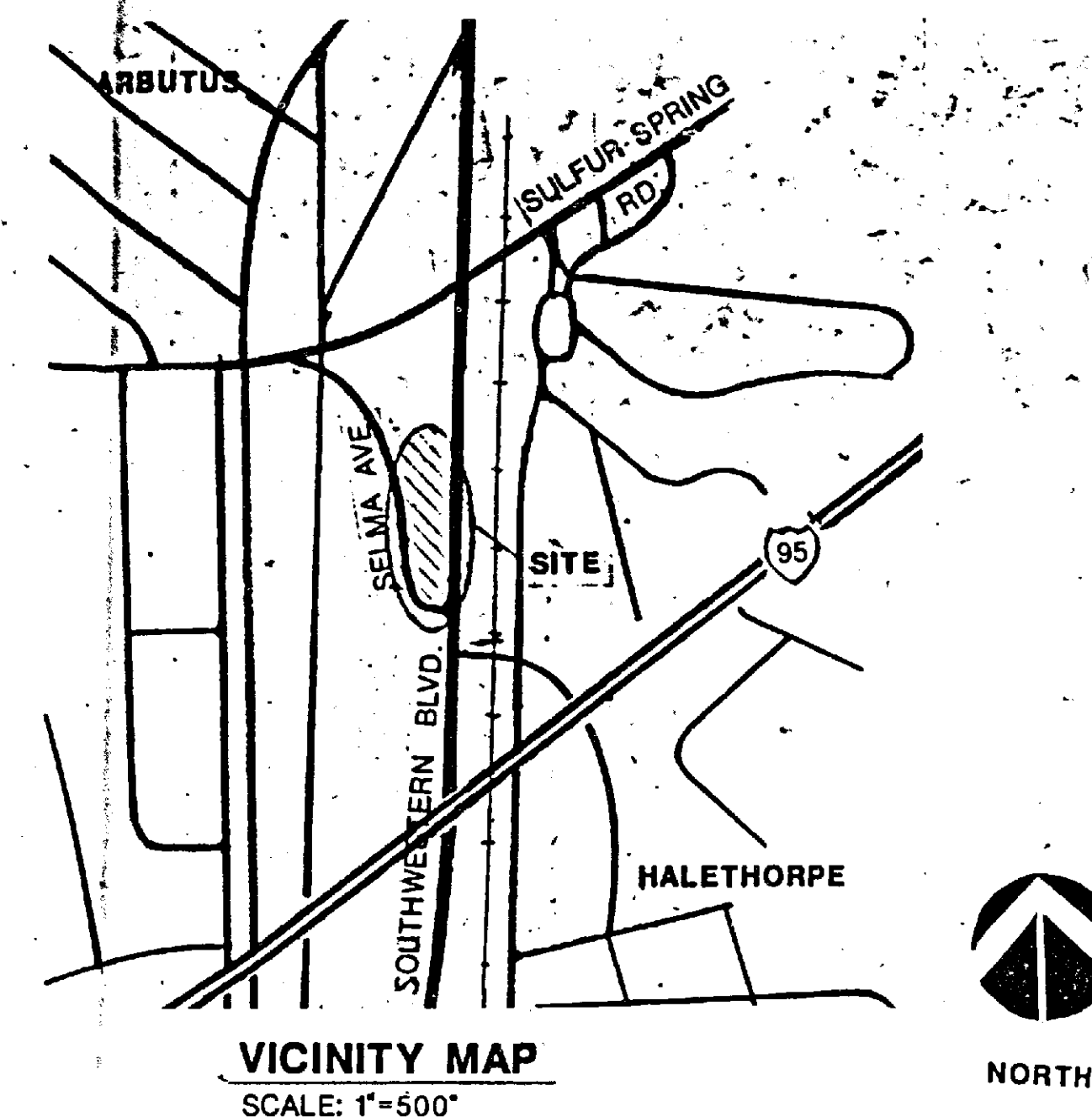
M. DEAN DONEHOO

1105 HAMPTON PLAZA, 300 E. JOPPA RD

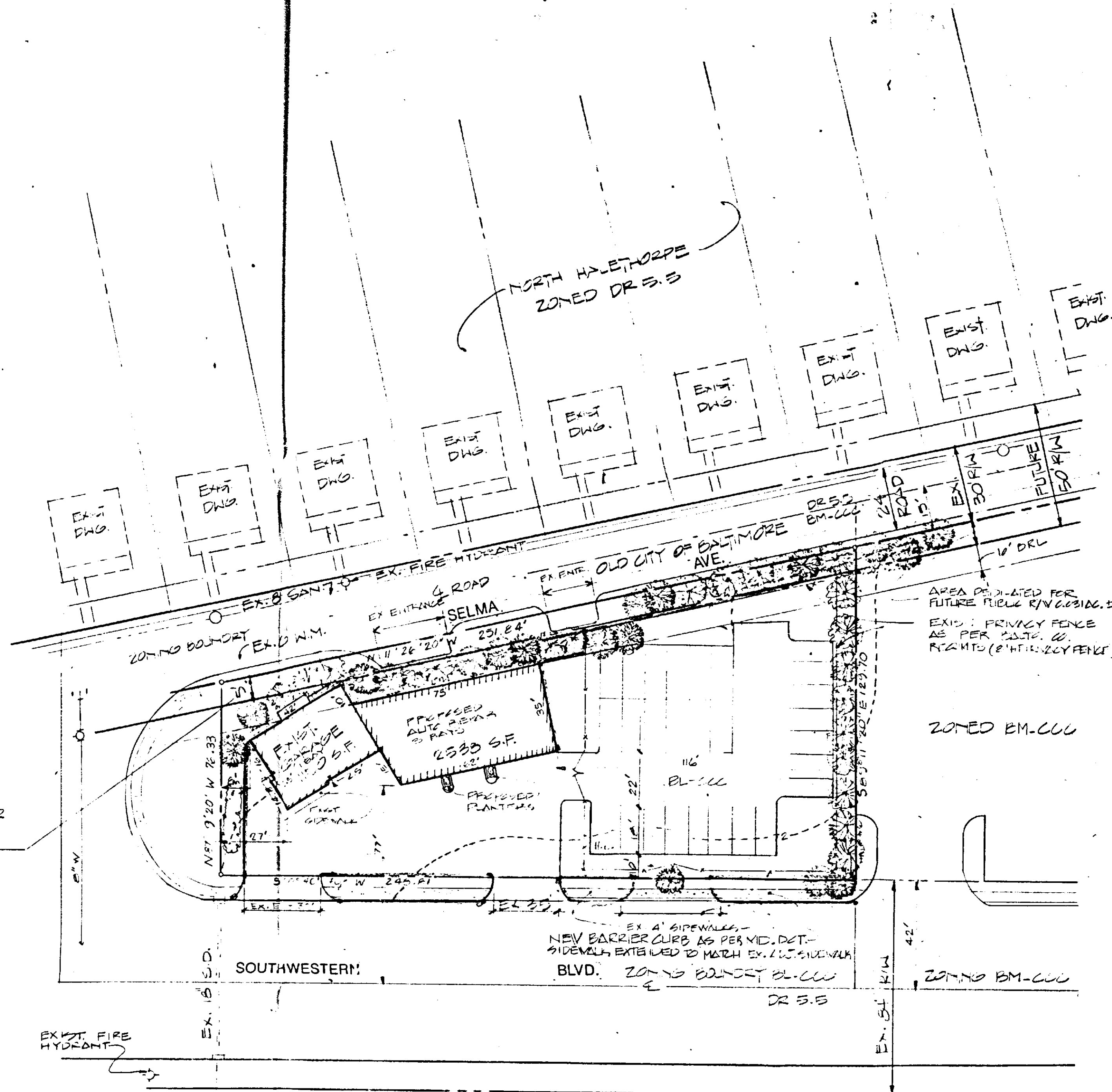
226 Stonewall Rd. Catoons, Md. 21228

469 Britlane, Dreilichthof

217 Glenrae Dr. Catonsville MD. 21228



AREA DEDICATED FOR
FUTURE PUBLIC R/W
.056 AC



SITE DATA

- AREA OF SITE -
AREA DEDICATED R/W = 0.584 AC GROSS
0.056 AC
0.528 AC NET
- ZONING: BL-CCL
- EXIST. USE: AUTO REPAIR (SERVICE GARAGE)
- PROPOSED USE: AUTO REPAIR (SERVICE GARAGE)
- PUBLIC WATER AND SEWER
- PARKING TABULATION:
PARKING REQUIRED: 3.5/1000 = 13 SPACES
T. PARKING PROVIDED: 19 SPACES (18 OUTSIDE GARAGE BAYS)
ALL EXTERIOR LIGHTING SHALL BE DIRECTED AWAY FROM ADJOINING PROPERTIES AS PER BALTIMORE COUNTY STANDARDS
- LANDSCAPING SHALL BE PROVIDED AS PER BALD. COUNTY STANDARDS.
TENT HEIGHT: 16'-0"

LANDSCAPE REQUIREMENTS

NUMBER OF TREES = 10 PLG. SP. 1 TREE PER 12 = 1
= 441 FT² AT ROAD FRONTAGE E
1 TREE PER 40 FT = 13
TOTAL NUMBER OF TREES REQ'D = 14
TOTAL NUMBER OF TREES PROVIDED = 39

GENERAL NOTES CONTINUED:

- NO ADDITIONAL WATER USE IS REQUIRED FOR THIS PROJECT, THUS NO IMPACT ON AREA WATER PRESSURE.
- PROPERTY IS A SUB-DIVISION OF ANCOT PROPERTY.

Decision
Most recent case was granted in case No. 89-69-SPH on October 19, 1988 to amend the site plan approved in Case No. 80-181-X to allow for expansion and an amendment to the order in said case to modify Restriction No. 9 to permit

see
(last page)

GENERAL NOTES

- ELECTION DISTRICT 13
- COUNCILMANIC DISTRICT 1
- CENSUS TRACT 4307
- WATERSHED 29
- SUBDIVISION 74
- SOIL TYPES & LIMITATIONS:
SOIL TYPE: BOLD H/O BALT. GREENW. SOIL CLASS. LTO SEVERE SEVERE 0
(LTO: ONLY SOIL TYPE ON SITE)

- NO HISTORIC BUILDINGS ON SITE
- NO CRITICAL AREAS
- NO ARCHEOLOGICAL SITES
- NO ENDANGERED SPECIES
- NO HAZARDOUS MATERIALS
- NO SLOPES OVER 25 PERCENT
- PROPERTY SUBJECT TO BALD. C.Z.R. HEARING.
- NO MTA BUS ROUTE
- SIGNAGE SHALL BE PROVIDED AS PER SEC. 415, B.C.R. WALL SIGNS 4' X 12' WITH THE WALL
- LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH BALTIMORE COUNTY REGULATIONS
- NUMBER OF EMPLOYEES: 4-5
- HOURS OF OPERATION: NOTED PERM.
- BUILDING IS CURRENTLY A REPAIR GARAGE
- NO ADDITIONAL TOILET/WASH FACILITIES TO BE PROVIDED, CURRENT SEWER LEAD TO REMAIN
- BOUNDARY FROM CURRENT DEEDS
- NO VET LAND OR HYDRO SOILS ON SITE.
- NO PLAT PLAN ON SITE
- UNDERGROUND PETROLEUM PRODUCTS STORAGE TANKS LOCATED AT FORMER GAS STATION HAVE BEEN REMOVED
- THERE ARE NO ABANDONED GAS STATIONS WITHIN ONE QUARTER MILE OF THE PROPERTY
- REMARKS: PRIOR UNDERGROUND PETROLEUM PRODUCTS STORAGE TANKS WERE REMOVED IN 1988. THE TANKS WERE REMOVED IN 1988. THE TANKS WERE REMOVED IN 1988. THE TANKS WERE REMOVED IN 1988.

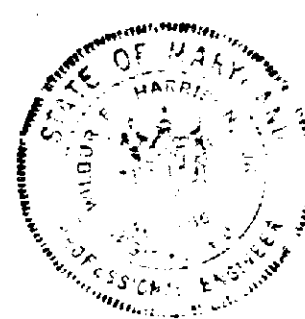
- Compliance with the terms and provisions of Section 210.12.
- No body and/or fender work shall be performed on the premises.
- All service garage functions shall be performed within the enclosed improvements, as shown on the site plan and indicated as a one-story garage and office.
- All offstreet parking for more than five vehicles shall be screened by an eight foot high chain link fence, with the entrance gate therefor being located at the south end of said fence, and compact planting along and for the full length of said fence bordering Selma Avenue.
- The curb cuts existing along Southwestern Boulevard, near the northern property line, and on Selma Avenue shall be closed.
- Any parking or storage space for more than five vehicles shall be paved with a durable and dustless surface and shall be properly and adequately drained.
- Any lighting fixtures used to illuminate any offstreet parking area shall be located and arranged so as to reflect the light away from residential lots.
- Any damaged or disabled motor vehicles to be stored on the premises shall be in compliance with Section 405A.
- The service garage operation shall be limited to between the hours of 8:00 a.m. and 6:00 p.m., Monday through Friday, and 8:00 a.m. and 1:00 p.m. on Saturdays.
- Approval of said site plan by the Maryland Department of Transportation, the Department of Public Works, and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division, all to be in keeping with the restrictions provided for herein.

RESTRICTION 9 IS REQUESTED TO BE REMOVED HERE:
THE SERVICE GARAGE OPERATION SHALL BE LIMITED TO BETWEEN THE HOURS OF 8:00 A.M. AND 6:00 P.M. MONDAY THROUGH FRIDAY, AND 8:00 A.M. AND 1:00 P.M. ON SATURDAYS.

SOUTHWESTERN CAR CARE INC.

5534 SOUTHWESTERN
BLVD. ARBUTUS, MD

PLAT PLAN



HARRISON A/E INC.

226 Stonewall Road
Baltimore, Maryland 21228
(301) 747-8325

PETITIONERS EXHIBIT

BY: Brad Linden CKD:

FILE:

SCALE: NOTED

DATE: 2/27/88

REV. 7/27/88
ADD WORKS PER TET NO.
REV. 9/18/88
AS PER PLANNING & ZONING
COMMENTS

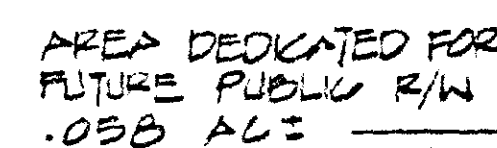


NUMBER OF TREES = 10 \therefore PLS. SPEC 1 TREE PER 12' = 1
= 449 FT OF RED FRONTAGE @
1 TREE PER 40 FT = 12
TOTAL NUMBER OF TREES REQ'D = 1
TOTAL NUMBER OF TREES PROVIDED = 14

[illegible]

1. RECEIVED 2000

#461



SCALE: 1" = 30'



NORTH